

REMARKS

In the Final Office Action¹, the Examiner rejected claims 1, 2, 5, 6, 8, 13, and 14 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,504,502 to Arita et al. ("Arita"); rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Arita in view of U.S. Patent No. 5,179,460 to Hinata et al. ("Hinata"); rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Arita in view of U.S. Patent No. 5,565,632 to Ogawa ("Ogawa"); rejected claim 18 under 35 U.S.C. § 103(a) as being unpatentable over Arita in view of U.S. Patent No. 6,670,946 to Endo et al. ("Endo"); objected to claims 7, 9-12, 15-17, 19, and 20 as being allowable but depending from a rejected base claim; and allowed claims 36-38.

Applicants gratefully acknowledge the Examiner's indication of allowable subject matter in claims 7, 9-12, 15-17, 19, and 20. By this Amendment, Applicants propose to amend claim 1 and cancel claim 10 without prejudice or disclaimer of its subject matter. Applicants propose to amend independent claim 1 to incorporate allowable subject matter of cancelled claim 10. Upon entry of this amendment, claims 1-9, 11-20, and 36-38 are pending.

Applicants respectfully traverse each of the above-noted rejections under 35 U.S.C. Sections 102 and 103. Although Applicants do not necessarily agree with the above-noted rejections, Applicants propose to amend independent claim 1 to incorporate subject matter of claim 10 indicated by the Examiner as being allowable. Office Action, page 6. Accordingly, independent claim 1 is allowable, and claims 2-9

¹ The Office Action contains a number of statements reflecting the characterizations of the related art and the claims. Regardless of whether any such statements is identified herein, Applicants decline to automatically subscribe to any statements of characterization in the Office Action.

and 11-20 are also allowable at least by virtue of their dependence from allowable base claim 1.

CONCLUSION

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner placing claims 1-9, 11-20, and 36-38 in condition for allowance. Applicants submit that the amendments to claim 1 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge
any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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By: 

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